

ket, shall have made a medical inspection of all their employees at intervals of time of not more than six months, and if such examination discloses the fact that any person in their employment is infected with or affected by any infectious or contagious disease that such person shall promptly be discharged from such employment; and further providing that all dishes, receptacles or other utensils used in eating or drinking, or for the conveyance of articles of food, shall be thoroughly cleansed since used by another person, and prohibiting the use of dishes, receptacles or other utensils that are cracked or broken in such a manner as to render their sterilization impossible or doubtful, and providing penalties for a violation of the provisions of this act, and declaring an emergency."

H. B. No. 230, A bill to be entitled "An Act authorizing any steam or electric interurban railway company or sleeping car company, or chartered transportation company, or the receivers or lessees thereof, or the persons operating the same, or officers, agents or employees thereof, to grant free passes to any person who is now receiving or may hereafter receive a pension from the State of Texas under the provisions of Section 51 of Article 3 of the Constitution of the State of Texas; providing how proof of such fact may be made, and declaring an emergency."

H. B. No. 240, A bill to be entitled "An Act to amend Chapter 143 of the General Laws of the State of Texas passed by the Thirty-third Legislature at the Regular Session thereof, being 'An Act to amend Article 4694 of the Revised Civil Statutes of 1911, giving cause of action where injuries resulting in death is caused by the negligence of a corporation, its agents or servants, and declaring an emergency'; by giving a cause of action for injuries resulting in death against any person, association of persons, joint stock company, corporation, his, its, or their owner, agents or servants, against the proprietor, owner, charterer or hirer of any industrial or public utility plant, railroad, street railway, steamboat, stage coach or other vehicle for the conveyance of goods or passengers, and against the receiver or receivers, trustee or trustees, or other person or persons in charge or in control of any railroad, street railway, steamboat, stage coach, or other vehicle for the conveyance of goods or passengers, or any industrial plant, public utility plant or other machinery, where such injuries result from the

negligence of the persons, corporations, trustees or joint stock companies, their agents or servants; providing that no agreement between the owner of certain property and utility plant and the persons or trustees operating the same shall release such persons or trustees from liability under this act; repealing all laws in conflict herewith; providing that the invalidity of any provision hereof shall not affect the remaining provisions, and declaring an emergency."

H. B. No. 291, A bill to be entitled "An Act further regulating the increase of capital stock of State banks or banking corporations, amending Article 564, Chapter 6, Title 14, Revised Civil Statutes of the State of Texas, 1911, requiring the increase of the capital stock of banks, through orders of the State Banking Board when the statements of the said banks show excessive increase of average daily deposits as compared to the capital stock and surplus of said banks by providing that the State Banking Board may relieve such bank of such order upon finding of conditions justifying such relief; and declaring it to be an offense to receive deposits after refusal or failure of such bank or banking corporation to comply with any order or requirement of the State Banking Board pursuant to the provisions of this act, and fixing the penalty and punishment therefor."

And find the same correctly engrossed.
SNEED, Chairman.

THIRTY-FIFTH DAY.

(Tuesday, March 1, 1921.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Thomas.

The roll was called and the following members were present:

Adams.	Black, W. A.,
Aiken.	of Bexar.
Baker.	Bonham.
Baldwin.	Branch.
Barker.	Brown.
Barrett of Bell.	Bryant.
Barrett of Fannin.	Burkett.
Bass.	Burmeister.
Beasley	Burns.
of Hopkins.	Carpenter.
Beasley	Childers.
of McCulloch.	Chitwood.
Beavens.	Coffee.
Binkley.	Cox.
Black, O. B.,	Crawford.
of Bexar.	Cummins

Curtis.	Morris
Darroch.	of Montague.
Davis, John E.,	Mott.
of Dallas.	Neblett.
Davis, John,	Owen.
of Dallas.	Patman.
Duffey.	Perkins
Duncan.	of Cherokee.
Edwards.	Perkins of Lamar.
Faubion.	Perry.
Fly.	Pollard.
Fugler.	Pool.
Garrett.	Pope.
Greer.	Quaid.
Grissom.	Quicksall.
Hall.	Quinn.
Hanna.	Rice.
Hardin.	Rogers of Harris.
Harrington.	Rogers of Shelby.
Henderson	Rosser.
of McLennan.	Rountree.
Hill.	Rowland.
Horton.	Satterwhite.
Johnson	Schweppe.
of Gillespie.	Seagler.
Johnson of Ellis.	Sims.
Johnson	Smith.
of Wichita.	Sneed.
Jones.	Stephens.
Kacir.	Stevenson.
Kellis.	Stewart
King.	of Edwards.
Kveton.	Stewart of Reeves.
Laird.	Swann.
Lauderdale.	Sweet of Brown.
Lawrence.	Sweet of Tarrant.
Lindsey.	Teer.
Looney.	Thomason.
McCord.	Thompson
McDaniel.	of Harris.
McFarlane.	Thompson
McKean.	of Red River.
Martin.	Thorn.
Marshall.	Thrasher.
Mathes.	Veatch.
Melson.	Walker.
Menking.	Wallace.
Merriman.	Webb.
Miller of Dallas.	Wessels.
Miller of Parker.	West.
Morgan.	Williams
Moore.	of McLennan.
Morris of Medina.	Williams
	of Montgomery.
	Wright.

Absent.

Estes.	Laney.
Hendricks.	Wadley.

Absent—Excused.

Brady.	Henderson
Crumpton.	of Marion.
Dinkle.	Lackey.
Harrison.	Leslie.

McLeod.	Thomas
Shearer.	of Limestone.
	Westbrook.

A quorum was announced present.
Prayer was then offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. O. B. Black of Bexar for last Saturday and Monday, on motion of Mr. Morris of Medina.

Mr. Brady for today, on motion of Mr. Binkley.

Mr. McLeod was excused for today and indefinitely, on motion of Mr. Barker on account of sickness.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 1, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 86 A bill to be entitled "An Act to amend Chapter 129 of the General Laws of the State of Texas, passed by the Thirty-sixth Legislature at its Regular Session, authorizing the State Board of Medical Examiners of this State to cancel the license of any licensed 'practitioner of medicine' when the facts are made known to it that such practitioner has been convicted of the crime of the grade of a felony, and for other reasons; repealing all laws in conflict therewith, and declaring an emergency."

S. B. No. 140, A bill to be entitled "An Act for the relief of citizens of this State who are, or have been, absent from this State for more than six months because of their being in the military, naval, legislative or diplomatic service of the State or the United States, to repeal all laws in conflict herewith, and declaring an emergency."

S. B. No. 197, A bill to be entitled "An Act to provide for the branding of new and renovated mattresses and comforts, and to provide against the use of unsanitary, unhealthy, old or second-hand comforts, and to provide against the sale of mattresses or comforts containing such unsanitary, unhealthy, old or second-hand materials, providing a penalty therefor, and declaring an emergency."

S. B. No. 198 A bill to be entitled "An Act authorizing the State Board

of Health to procure diphtheria antitoxin, tetanus antitoxin and vaccine lymph for the free use of people of the State upon whom the purchase thereof would impose a hardship; providing for the distribution of said antitoxins and vaccine lymph by the State Board of Health to the before mentioned persons upon the recommendation of the attending physician."

S. B. No. 205, A bill to be entitled "An Act providing that the Secretary of State may charge, as fee of his office, a sum for investigations made by employees of that department, and declaring an emergency."

S. B. No. 213, A bill to be entitled "An Act diminishing the jurisdiction of the county court of Tyler county, Texas, so that such court will have only the jurisdiction of a probate court, and conferring the civil and criminal jurisdiction of said county upon the court of Tyler county, and declaring an emergency."

S. B. No. 215, A bill to be entitled "An Act requiring every individual, firm, association or corporation owning, keeping, conducting or managing an institution or home for the boarding or sheltering of infant children or so-called 'Baby Farm,' or any laying-in hospital, hospital ward, maternity home or other place for the reception, care and treatment of pregnant women, charging a fee or receiving or expecting compensation, shall obtain an annual license from the State Board of Health, which license shall be issued without fee. Local health officer to be given notice of the granting and terms of license. Local health officer to inspect such places at intervals. Requiring the reporting of the birth of any child in such place within twenty-four hours after its occurrence to the local health officer; making it unlawful to operate or conduct any such above mentioned place without having the license mentioned; imposing a fine and other penalty for violation of this act, and stipulating that any license shall be revoked if owner be convicted of conducting a 'disorderly house,' as that term is defined in the criminal laws of this State, and declaring an emergency."

S. B. No. 217, A bill to be entitled "An Act amending Articles 3297 and 3300 of Chapter 7 of Title 52 of the Revised Civil Statutes of the State of Texas and adding thereto Articles 3300a and 3300b, so as to provide that temporary administrators appointed may be made permanent administrators, and declaring an emergency."

S. B. No. 225, A bill to be entitled "An Act to amend Article 6401 of the

Revised Civil Statutes of 1911, providing for the trial and investigation of matters in suits brought by quo warranto proceedings, and providing for appeals in such cases, and declaring an emergency."

S. B. No. 251, A bill to be entitled "An Act to amend Chapter 69 of the Special Laws passed at the Regular Session of the Thirty-second Legislature, 1911, and approved by the Governor March 23, 1911, which said act was amended at the Regular Session of the Thirty-fifth Legislature, 1917, by Chapter 66 of the Special Laws of the said Thirty-fifth Legislature and approved by the Governor the 26th day of March, 1917, and being an act entitled 'An Act incorporating the Winnsboro Independent School District in Wood and Franklin counties, Texas, for free school purposes only; defining its boundaries, providing for a board of trustees, divesting the city of Winnsboro of the control of its public schools and title to school property and vesting the same in said Winnsboro Independent School District and its board of trustees; prescribing the right, powers privileges and duties of trustees and declaring an emergency,' by more clearly defining its boundaries and providing the date on which the fiscal year begins and ends and the date on which taxes unpaid shall become delinquent, and declaring an emergency."

S. B. No. 296, A bill to be entitled "An Act providing that when any bank which is a county, city or district depository for public funds under the laws of this State, suspends business, or is taken charge of by the Comptroller of the Currency or the Commissioner of Insurance and Banking, that the lawful county, city or district authorities authorized to select a depository in the first instance shall have the discretion and authority to select by contract a special depository for the public funds in suspended bank; declaring that such special depository shall assume the payment of such public funds, and it shall pay the same to the designated public authority in accordance with the contract; defining the terms of the contract, making provisions with reference thereto; providing that performance of the contract and payment of all funds described therein shall be secured by bond to be given by the special depository, with the same character of sureties as is required for regular depository bonds; providing for the approval of such special depository contracts and bonds, etc., and declaring an emergency."

S. B. No. 255, A bill to be entitled "An Act repealing Chapter 47 of the Special Laws of the Regular Session

of the Thirty-sixth Legislature, known as an act to create a more efficient road system for Wood county, as approved by the Governor on March 13, 1919, and repealing any and all other special laws and parts of special laws relating to a road system for Wood county; providing that hereafter only the general laws relating to roads for the various counties of the State of Texas shall be effective in Wood county; providing that any and all bonds heretofore issued by said Wood county, or any district in Wood county, shall remain valid obligations, and that taxes shall be assessed and collected for the payment of the interest and creating a sinking fund to liquidate said bonds in the same manner as that is now done, and declaring an emergency."

S. B. No. 258, A bill to be entitled "An Act to make it discretionary on the part of the trial judge with regard to submitting a case to the jury on special issues of fact in all cases tried before a jury in the district or county courts of this State; and provided that where the parties litigant agree that the case shall be submitted on special issues, it shall be due to the court to so submit said case; and further provided, where the case is submitted on special issues, it shall be proper for the attorneys to explain to the jury the effect of the finding thereon; repeal all laws in conflict herewith, and declaring an emergency."

S. B. No. 264, A bill to be entitled "An Act to amend Article 6278 of Chapter 2 of Title 105 of the Revised Civil Statutes of the State of Texas of 1911, denying payment of pensions to those otherwise entitled to same while inmates of the Texas Confederate Home or while confined in any of the asylums of this State, at the expense of the State, or while confined in the State penitentiary to satisfy a judgment of conviction, so as to provide that inmates of the Confederate Home and inmates of the Confederate Woman's Home shall be entitled to receive pension payments equal to one-half the amount they would be entitled to receive if they were not inmates of such home, and declaring an emergency."

S. B. No. 266, A bill to be entitled "An Act providing for the construction, equipment and maintenance of a building in connection with the Texas School for the Blind, to accommodate, educate and take care of blind children or children with defective eyesight under the age of children which may be admitted into the Texas School for the Blind under the present laws; providing for the operation, support and maintenance of such

addition to the Texas School for the Blind, and making an appropriation for said purpose and purposes, and declaring an emergency."

S. B. No. 272, A bill to be entitled "An Act to amend Chapter 14, Article 2781, Revised Civil Statutes of 1911, as amended by Chapter 27, Acts of the Third Called Session of the Thirty-sixth Legislature, relating to the salaries of teachers so as to change the provision as to districts levying a local tax, validating contracts heretofore made, and declaring an emergency."

S. B. No. 277, A bill to be entitled "An Act to fix the salary and compensation of the superintendent of the Confederate Woman's Home, and to repeal all laws in conflict herewith, and declaring an emergency."

S. B. No. 280, A bill to be entitled "An Act to amend Article 610, Chapter 1, Title 18, of the Revised Civil Statutes of Texas of 1911, so as to provide in substance that the county commissioners court shall in addition to being authorized to issue bonds of the county for the erection of the county courthouse and jail, or either, that such commissioners court should also have the power to issue the bonds of said county as provided for in said section for the construction of buildings to be used as schools or homes for dependent and delinquent boys and girls, or for either one or both of said sexes, as said commissioners court might determine; to repeal all laws in conflict herewith, and declaring an emergency."

S. B. No. 287, A bill to be entitled "An Act creating the Buffalo Flat Common School District No. 20 in Hall county, Texas, describing its metes and bounds, providing for the assumption of its part of the bonded indebtedness of Turkey Independent District, placing the district under the general laws, providing for a board of three trustees, and declaring an emergency."

S. B. No. 292, A bill to be entitled "An Act enlarging and creating Geneva Independent School District in Sabine county, Texas, and consolidating Rock Springs Common School District No. 18 and Red Oak Common School District No. 22 with Geneva Independent School District; defining its boundaries; providing for a board of trustees; vesting it with rights, powers, duties and privileges of independent school districts incorporated for school purposes only; providing for a board of equalization to fix the taxable valuation of the personal and real property in said district; divesting out of the Rock Springs Common School District No. 18 and

Red Oak Grove Common School District No. 22 the title and the control of all school money and school property belonging to said common school districts, and vesting the title and the control of all such money and property in Geneva Independent School District; providing that if any part of this act is declared unconstitutional, such decisions shall not make void or annul its other provisions; repealing all laws in conflict with this act, and declaring an emergency."

S. B. No. 278, A bill to be entitled "An Act making an appropriation of five hundred and fifty thousand (\$550,000) dollars out of funds in the State Treasury not otherwise appropriated, to the Prison Commission of the State of Texas for the purpose of paying the operating expenses of said Prison Commission during the remainder of the present fiscal year and the purchase price of the Blue Ridge Farm and other indebtedness incurred by said Commission under authority of law; providing for the return to the State Treasury of the amounts unused by it out of this appropriation, and declaring an emergency," with engrossed rider.

S. B. No. 284 A bill to be entitled "An Act to amend Article 1610, Title 15, Chapter 28, Penal Code of the State of Texas, relating to the punishment for excessive whipping of refractory prisoners; prohibiting the use of the lash in the penitentiary system of Texas; fixing the penalty, and declaring an emergency," with engrossed riders.

Has adopted Senate Concurrent Resolution granting Judge Irwin T. Ward permission to leave the State.

And has refused to pass

H. B. No. 34, A bill to be entitled "An Act amending Article 6923 of Title 119 of the Revised Civil Statutes of the State of Texas, 1911, providing that any person summoned to work on the public roads of this State shall be exempted from the performance of such work upon payment to the road overseer of his district of \$2 for each and every day he is summoned to work, and exempting such person from all penalties for failure to work on such roads for the time for which he has so paid, and declaring an emergency."

Respectfully,

A. W. HOLT,

Assistant Secretary of the Senate.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Wright:

H. B. No. 564, A bill to be entitled "An Act creating the Megargel Independent School District in Archer county, Texas; defining its boundaries, including the present Megargel Independent School District and Common School District No. 14; providing for a board of trustees in said district, conferring upon said district and its boards of trustees all the rights, powers, privileges, and duties now conferred and imposed by the general laws of Texas upon independent school districts and the board of trustees thereof; providing that said district shall have the benefit of any laws hereafter enacted conferring any additional powers upon independent school districts incorporated under the general laws; providing that the present board of trustees continue in office until the expiration of their respective terms; providing that any and all outstanding indebtedness heretofore voted against any territory included in the district as hereby incorporated and any and all maintenance taxes shall remain in full force and effect; providing that title to all property belonging to Common School District No. 14 shall be vested in the Megargel Independent School District as herein created; providing for the non-impairment of any contract, and declaring an emergency."

Referred to Committee on Education.

By Mr. Stewart of Edwards:

H. B. No. 565, A bill to be entitled "An Act relative to the jurisdiction of the county court of Edwards county, Texas, conferring upon said court civil and criminal jurisdiction and conforming the jurisdiction of the district court of said county to such change."

Referred to Committee on Judicial Districts.

By Mr. Walker:

H. B. No. 566, A bill to be entitled, "An Act to amend House bill No. 802, Chapter 21, page 79, of the Local and Special Laws of the Thirty-fifth Legislature, passed at its Regular Session, approved February 23, 1917, creating the Buna Independent School District, so as to correct the field notes in said act and providing for the Buna Independent School District known as Common School District No. 13 in Jasper county, Texas, and defining its boundaries; and providing for the creating of trustees thereof, to levy, assess and collect special taxes and conferring upon

the board of trustees plenary powers; and providing authority to issue bonds for the purpose of purchasing school sites and erecting, furnishing and equipping school buildings within the same, and to levy a tax therefor; and to pay current expenses for the maintenance and support of said schools; providing for a board of equalization and prescribing the duty and authority of said board; and further prescribing the duty and authority of said board; and further prescribing the duty and authority of the board of trustees; declaring valid a maintenance tax heretofore voted, and repealing all laws in conflict herewith in so far as they conflict with this act, and declaring an emergency."

Referred to Committee on Education.

By Mr. Greer:

H. B. No. 567, A bill to be entitled "An Act amending the law relating to text books, for the purpose of securing greater efficiency in uniform text book adoption and free text book distribution and extending its operation; prescribing what school employes may not handle text books and school furniture and school equipment; providing for office space and equipment for county superintendents handling free text books; amending Sections 1, 3, 4, 5 and 21 of Chapter 44, Acts of the First Called Session of the Thirty-fifth Legislature, and Sections 6 and 10 of Chapter 29, Acts of the Thirty-sixth Legislature and Articles 2904 and 3905, Revised Civil Statutes of 1911; repealing Sections 22, 31, 32, of Chapter 44, Acts of the First Called Session of the Thirty-fifth Legislature, and declaring an emergency."

Referred to Committee on Education.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills and resolutions:

H. B. No. 118, "An Act to put into effect the amendment to Section 3 of Article 7 of the Constitution of the State of Texas, in accordance with the will of the people as expressed by vote in the general election held on November 2, 1920."

H. B. No. 227, "An Act to provide for the organization of purely co-operative marketing associations, defining their rights, duties and policies, prescribing who may organize such marketing as-

sociations, and providing for investigation prior to such organization; prescribing the powers that may be exercised by such marketing associations under this act; prescribing who may become members of such marketing associations; prescribing what shall be contained in the articles of incorporation; providing for amendments to the articles of incorporation; providing for by-laws and the powers under such by-laws; providing for the meetings of members of any association organized under this act, and prescribing the way and manner in which officers and directors of such corporations may be elected; prescribing for membership certificates and their issuance, and also the liability of members under the articles of incorporation, and limiting the transferring of membership certificates; providing for the removal of officers and directors of any co-operative marketing association organized under this act; providing for a referendum to the stockholders and entire membership of any organization on any question that may be referred to such stockholders or members; providing for marketing contracts of co-operative marketing associations; providing powers, giving the right of purchasing business of other associations, persons, firms and corporations in dealing with an organization incorporated under the terms and provisions of this act; providing for annual reports; limiting the use of the term 'co-operative' as applied to this act; providing for interest in other corporations or associations, and providing contracts and agreements with other associations; providing that any association heretofore organized under the present existing statutes may by majority vote come under the provisions of this act; providing for penalties for the breach of a marketing contract of a co-operative marketing association, and for making false reports about the association and the management thereof; providing that associations organized under this act shall not be construed as in restraint of trade; providing for annual license fees and filing fees under this act, and providing that if any section of this act is declared unconstitutional, the remainder of the act shall remain in full force and effect, and declaring an emergency."

H. C. R. No. 28, Relating to the National Highway.

H. C. R. No. 29, Providing home for Confederate naval veterans.

H. B. No. 342 "An Act to make cer-

tain emergency appropriations out of the general revenues for the several institutions and departments of the State Government for the fiscal year ending August 31, 1921, and declaring an emergency."

RELATING TO REIMBURSEMENT FEDERAL COTTON TAX.

Mr. Morris of Montague offered the following resolution:

H. C. R. No. 30, Instructing and requesting our congressional delegation to urge upon Congress the reimbursement to survivors of the Confederacy, the cotton tax imposed upon the products of the soil by act of Congress in 1864 and 1867, and urging Congress to make such reimbursement.

Whereas, The Congress of the United States with the view (as was alleged) to increase the internal revenue of the general government, enacted certain laws, to wit: one approved on the thirtieth day of June, 1864, which levied a duty of two cents per pound on all cotton, the growth of the United States; another approved thirteenth July, 1866, fixing in lieu of the foregoing a tax on cotton of three cents per pound; another approved on the second day of March, 1867, reducing the said tax from the first of September, 1867, to two and a half cents per pound; and

Whereas, At different times, by regulations of the Treasury Department, and at other times by military orders, special taxes were levied on cotton, sometimes at specific rates per pound and at other times payable in kind; and

Whereas, The collection of the aforesaid taxes and duties were rigidly enforced to the great detriment of the agricultural interests of the cotton growing portion of the United States where said cotton was (with the exception of a very few bales) grown, and often terminating in the bankruptcy of the producer; and

Whereas, The Constitution of the United States guarantees to the several States equal distribution of taxation, and in which an export is prohibited, and as a tax upon the production of the soil was without constitutional warrant, especially as its application was limited to but one article of production, and therefore not uniform; and

Whereas, The constitutional right of Congress to enact such laws was always exceedingly doubtful and now ascertained to be so by the late decision of

the Supreme Court of the United States, in the case of *Farrington vs. Saunders*, wherein the court stood equally divided four to four; and

Whereas, The people of Texas, colored as well as white, are interested in the return of this money, and jointly look with solicitude to the action of those who control the destinies of our country, acting in their official capacity; therefore, be it

Resolved by the Senate and House of Representatives of the State of Texas, That, in view of the facts as herein set forth, the Congress of the United State is earnestly requested to pass a law appropriating said taxes equitably between the survivors of the Confederate military forces; that is, that the entire amount of such taxes be distributed among and divided in an equitable manner between the above mentioned survivors and their widows, as aforesaid; and be it further

Resolved, That the Senators in Congress be instructed and our congressional Representatives requested to do all in their power to aid in having said money restored by the Government of the United States to the parties above mentioned and that copy of these resolutions be sent to each Senator and Representative in Congress from Texas.

Signed—Morris of Montague, Perkins of Cherokee.

The resolution was read second time and was adopted.

RELATING TO LAWLESSNESS IN THE STATE.

Mr. Lawrence offered the following resolution:

Whereas, The State of Texas is being overrun with thieves, pickpockets, highway robbers, and dangerous criminals of all classes and descriptions to such an extent as to endanger and imperil the three great rights guaranteed us under both our Federal and State Constitutions, viz: "the right of personal liberty, the right of personal security and the right of private property"; therefore, be it

Resolved by the House of Representatives:

1. That we commend Governor Pat M. Neff for his valiant stand for law and order, and for his fearless and courageous stand against lawlessness in this State.

2. That the message of Governor Neff in regard to the repeal of "the suspended sentence law," and his recommendations appertaining thereto,

be immediately heeded by this body of lawmakers and law repealers; and that we do now go on record as being in favor of immediately repealing "the suspended sentence law" in order to help slow up the wave of crime now sweeping over the length and breadth of our beloved Texas, and that our good citizens may be a little safer in the enjoyment of the three rights guaranteed under the Constitution of the greatest and most democratic people on earth.

Signed—Lawrence, West.

The resolution was read second time.

Mr. Miller of Dallas moved to refer the resolution to the Committee on Criminal Jurisprudence.

Question recurring on the motion to refer, yeas and nays were demanded.

Mr. Satterwhite raised a point of order on further consideration of the resolution at this time, on the ground that the time allotted under the rules of the House for the consideration of resolutions has expired.

The Speaker sustained the point of order.

HOUSE BILL NO. 99 ON ENGROSSMENT.

The Speaker laid before the House, as postponed business on its passage to engrossment,

H. B. No. 99, A bill to be entitled "An Act to amend Section 31, Chapter 157, of an act relating to the protection of wild game, birds, etc., passed at the Regular Session of the Thirty-sixth Legislature and known as House bill No. 457, by adding to said Section 31 the prohibiting of hunting deer with dogs."

The bill having been read second time on Monday, January 31, with amendment by Mr. Thomason and substitute by Mr. Perkins of Cherokee, for the amendment, pending.

Mr. Carpenter offered the following amendment to the bill:

Amend House bill No. 99 by striking out the enacting clause.

Mr. Quinn moved the previous question on the pending amendments and engrossment of the bill, and the main question was ordered.

Question first recurring on the amendment by Mr. Carpenter, striking out the enacting clause of the bill, it was adopted.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, March 1, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 29, A bill to be entitled "An Act defining live stock commission merchants; requiring such merchants to give bond; providing for the renewal of such bond; the approval and recording of the same; imposing penalties for pursuing the occupation of a live stock commission merchant when bond has not been made or renewed, or when there has been an intentional breach of said bond, or for making materially false statements in the application relative to fixing the amount of the bond; requiring remittances of the proceeds of stock sold by such commission merchant to be made to the parties rightfully entitled thereto within forty-eight hours after such sale has been made, either in certified check or bank exchange unless waived in writing by the parties rightfully entitled thereto and prescribing penalty for favor to so remit; prohibiting the appropriation or use for any purpose by such live stock commission merchant of net proceeds of live stock sold by such live stock commission merchant and prescribing penalty for so appropriating or using; requiring the posting of a certified copy of the bond in some conspicuous place in the office of the principal place of business of said live stock commission merchant and prescribing penalty for failure so to do; providing for suits upon said bond and fixing the venue thereof; repealing all laws in conflict herewith, and especially the Act of the Thirty-third Legislature, Chapter 49, Regular Session, page 93, and declaring an emergency."

S. B. No. 122, A bill to be entitled "An Act establishing a State Athletic Commission and regulating the art of boxing and sparring exhibitions, or performances, in the State of Texas."

Respectfully,

A. W. HOLT,

Assistant Secretary of the Senate.

STATEMENT OF MR. BURKETT UNDER QUESTION OF PERSONAL PRIVILEGE.

Mr. Burkett, under a question of personal privilege, submitted the follow-

ing statement, which was read to the House:

Mr. Speaker and Gentlemen of the House: As all of you are aware, there has been a controversy between myself and the Adjutant General, as well as the Governor of this State, over the activities of Texas rangers in Eastland county. The merits or demerits of that matter it is not here necessary to discuss. Suffice it to say that the Adjutant General of this great State, the military officer next in rank to the Governor, has made the following statements which were printed in the newspapers throughout the length and breadth of our State:

"With reference to your accusation that preference on the ranger force is not being given to ex-service men, which the law provides shall be done, is absolutely untrue and without foundation. It is rather strange that your interest in ex-service men should be so keen in this at this time. I am now investigating your war record, but have not had time to complete same, but from all the information that I have been able to ascertain, you were holding some county office and were thereby, under the strict letter of the law, exempt from army service."

The intent and purport of said above quoted statement being to adroitly and maliciously insinuate that I was a draft evader and therefore unworthy of belief, the evident purpose being to destroy the effect of my exposure of the ranger service, and the needless presence of same in Eastland county, and to generally discredit me, and especially with the members of the House.

Pursuant to his announcement that he was investigating my war record, I saw the Adjutant General, in the presence of the Governor, and told him the reason I was not in the army was that at the time war was declared and the draft called, I was not within the draft age; that I was district judge; that I was a married man with a family of four children; that I purchased Liberty bonds to the extent of \$14,000, having to borrow the money to buy same, and having to sell them after the war at a heavy discount; that I contributed liberally to the Red Cross and other war activities; that I waived all exemptions in the last draft and offered to go at any time needed, although I was district judge at the time, and exempt.

I have been reliably informed that this brave and excellent appointee of

our present Governor, rumored on the streets of Austin and around the capitol, that my war record was not just right. Then he sent the following telegram to Eastland, my home:

"Commander American Legion Post, Eastland, Texas. Was Representative Joe Burkett in the army during the war? If not, for what reason? What is his age? Request immediate answer by wire. T. D. Barton."

There was absolutely no reason for any of the above insinuation, and the only purpose for which the inquiry could have been made was to injure me in my efforts towards the Texas ranger force. If the commander of the ranger force will do such unwarranted acts that, to the unthinking and uninformed, might tend to assassinate the character and good name of a citizen, then he is likely to cause the rank and file to abuse the personal privileges of our people. A man that will wilfully malign your character, might drive a dagger into your back when you are not looking.

I do not know how many wires he sent at State expense to investigate me, but I was informed Sunday, at Eastland, that a man, presumably a State ranger, had come from Austin to make the investigation. By this method he sought to convey the idea to the people there, and especially to the members of the American Legion, that there was some doubt and controversy about my war record that was necessary to be cleared up at once, when no person had ever before called in question my war record or public or private life. To the above telegram he received the following answer, which up to this time he has not made public, so far as I know, but which, in all fairness to me he should have done.

"Representative Joe Burkett is past thirty-five now and above first draft. Was at that time district judge and had wife and three children, one of whom was paralyzed. In second draft was still district judge and waived all exemptions, without much money. Bank informs us that he borrowed the money and bought five thousand dollars Liberty bonds, having to borrow the money to pay the interest. He is a patriotic, law-abiding citizen and a friend to the ex-soldier.

"C. C. Ridgeway, Adjutant."

I had four children and bought \$14,000 worth of bonds, instead of above.

It seems to me that it ill becomes a high State official, such as General

Barton, to call in question the record of any person for the purpose of destroying and discrediting him before his colleagues and constituents, especially when his insinuations are without foundation, and I respectfully submit the Governor should request Mr. Barton to tender his resignation as Adjutant General and appoint another more worthy of that high and responsible office.

JOE BURKETT,
Representative One Hundred and Eighth District.

(Copy.)

Western Union Telegram.
1921 February 28, PM 11 16
Ranger, Texas, Feb. 28, 1921.

Hon. Joe Burkett, Austin, Texas:

We heartily commend your actions in your timely and vigorous protest against the conduct of certain rangers in Ranger and Eastland county, also your vote on the Johnson bill. A man by the name of Wheatly, holding some kind of commission from the State of Texas is in Ranger today inquiring about your private life and making investigations pertaining to your war record. He seems to want some information that will derogate your good name to use as a justification. For the actions of State rangers here permit us to say we are all with you.

Signed—John M. Gholson, Overson & Strode, Lee J. Marks, Marks & Flaherty, D. N. Tillotson, Durst & Lener, Karl E. Jones, B. C. Lacey, W. H. Houston, T. K. Cherry, M. E. Martin, Oscar Quisle, Edwin R. Maher, C. C. Chenoweth, H. S. Cole, Sam K. Wasoff, W. P. Ralston, L. H. Flewellen, S. R. Black, J. B. Walls, Levy & Evans.

HOUSE BILL NO. 94 ON SECOND READING.

The Speaker laid before the House, as a special order for this hour, on its second reading and passage to engrossment,

H. B. No. 94, A bill to be entitled "An Act to apportion the State of Texas into senatorial districts, and declaring what counties shall constitute each senatorial district, and creating an emergency."

The bill was read second time.

Mr. Hill offered the following (committee) amendments to the bill:

(1)

Amend House bill No. 94 by striking

out all after the enacting clause and insert in lieu thereof the following:

Section 1. The senatorial districts of the State of Texas shall hereinafter be composed, respectively, of the following named counties, each of which districts shall be entitled to elect one Senator, to wit:

No. 1. Bowie, Titus, Cass, Marion, Franklin and Camp.

No. 2. Wood, Van Zandt, Smith and Upshur.

No. 3. Harrison, Gregg, Rusk, Panola, Shelby.

No. 4. Polk, Tyler, Jasper, Newton, Orange, Hardin, Sabine, San Augustine and Nacogdoches.

No. 5. San Jacinto, Liberty and Jefferson.

No. 6. Harris.

No. 7. Fort Bend, Wharton, Matagorda, Brazoria, Galveston and Chambers.

No. 8. Leon, Robertson, Madison, Brazos, Grimes, Walker, Montgomery and Waller.

No. 9. Cherokee, Anderson, Houston, Trinity and Angelina.

No. 10. Kaufman, Henderson, Navarro and Freestone.

No. 11. Collin, Hunt, Rockwall and Rains.

No. 12. Lamar, Red River, Delta and Hopkins.

No. 13. Cooke, Grayson and Franklin.

No. 14. Jack, Wise, Denton, Palo Pinto, Parker, Hood and Somervell.

No. 15. Tarrant.

No. 16. Dallas.

No. 17. Johnson, Ellis and Hill.

No. 18. McLennan, Limestone and Falls.

No. 19. Mills, Hamilton, Bosque, Lampasas, Coryell and Bell.

No. 20. Burnet, Williamson, Milam, Burleson and Lee.

No. 21. Washington, Austin, Colorado, Fayette and Lavaca.

No. 22. Gonzales, Wilson, Karnes, DeWitt, Victoria, Goliad, Calhoun, Refugio, Aransas, San Patricio, Bee, Live Oak, Atascosa and Jackson.

No. 23. Edwards, Kerr, Real, Bandera, Kendall, Kinney, Uvalde, Medina, Frio, Zavala, Maverick, Dimmit, LaSalle, McMullen Webb, Duval, Jim Wells, Kleberg, Nueces, Zapata, Jim Hogg, Brooks, Willacy, Starr, Hidalgo and Cameron.

No. 24. Bexar.

No. 25. Gillespie, Blanco, Hays, Comal, Guadalupe, Caldwell, Bastrop and Travis.

No. 26. Runnels, Coleman, Brown,

Comanche, Erath, San Saba, McCulloch, Concho, Menard, Mason, Llano and Kimble.

No. 27. Throckmorton, Young, Stephens, Shackelford, Jones, Nolan, Taylor, Callahan and Eastland.

No. 28. Wilbarger, Wichita, Clay, Montague, Archer and Baylor.

No. 29. Dallam, Sherman, Hansford, Ochiltree, Lipscomb, Hartley, Moore, Hutchinson, Roberts, Hemphill, Oldham, Potter, Carson, Gray, Wheeler, Deaf Smith, Randall, Armstrong, Donley, Collingsworth, Parmer, Castro, Swisher, Briscoe, Hall and Childress.

No. 30. Bailey, Lamb, Hale, Floyd, Motley, Cottle, Hardeman, Ford, Cochran, Hockley, Lubbock, Crosby, Dickens, King, Knox, Yoakum, Terry, Lynn, Garza, Kent, Stonewall, Haskell, Fisher, Scurry, Borden, Dawson and Gaines.

No. 31. El Paso, Hudspeth, Culbertson, Reeves, Loving, Winkler, Ward, Crane, Ector, Andrews, Martin, Midland, Upton, Reagan, Glasscock, Howard, Mitchell, Sterling, Coke, Tom Green, Irion, Schleicher, Sutton, Val Verde, Crockett, Terrell, Pecos, Jeff Davis, Presidio, Brewster.

Sec. 2. The county judges of the following counties shall receive returns and count the votes, and issue certificates of election to persons receiving the highest number of votes for Senator at any election in their respective districts, to wit:

First District: Bowie county.

Second District: Smith county.

Third District: Rusk county.

Fourth District: Tyler county.

Fifth District: Jefferson county.

Sixth District: Harris county.

Seventh District: Galveston county.

Eighth District: Grimes county.

Ninth District: Cherokee county.

Tenth District: Navarro county.

Eleventh District: Collin county.

Twelfth District: Lamar county.

Thirteenth District: Grayson county.

Fourteenth District: Wise county.

Fifteenth District: Tarrant county.

Sixteenth District: Dallas county.

Seventeenth District: Ellis county.

Eighteenth District: McLennan county.

Nineteenth District: Bell county.

Twentieth District: Williamson county.

Twenty-first District: Colorado county.

Twenty-second District: Bee county.

Twenty-third District: Nueces county.

Twenty-fourth District: Bexar county.

Twenty-fifth District: Hays county.

Twenty-sixth District: Brown county.
Twenty-seventh District: Taylor county.

Twenty-eighth District: Wichita county.

Twenty-ninth District: Potter county.

Thirtieth District: Lubbock county.

Thirty-first District: El Paso county.

Sec. 3. The unequal apportionment of Senatorial Districts and the great importance of redistricting the State in this respect creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and the said rule be and the same is hereby suspended and this act shall take effect and be in force from and after its passage, and it is so enacted.

(2)

Amend House bill No. 94 by striking out the caption and inserting in lieu thereof the following:

"A bill to be entitled 'An Act to apportion the State of Texas into Senatorial districts, declaring what counties shall constitute each Senatorial district, providing for returns of elections, and creating an emergency.'"

Mr. Coffee offered the following (committee) amendment:

Amend House bill No. 94 as substituted by (committee) amendment, lines 20 and 21, page 4, by striking out the words "Hood and Somerville."

Signed—Coffee, Miller of Parker, Thomas of Denton.

Mr. Hill offered the following substitute for the amendment to the (committee) amendment:

Amend House bill No. 94 as amended by striking out "Somervell in District No. 14," and add "Somervell to District No. 19."

The substitute was adopted.

Mr. Curtis moved to reconsider the vote by which the amendment was adopted and to table the motion to reconsider.

Question recurring on the motion to table, it was lost.

Question next recurring on the motion to reconsider, it was lost.

Question then recurring on the amendment as substituted, it was adopted.

Mr. Smith offered the following amendment to the (committee) amendment:

Amend committee substitute to House bill No. 94 by striking out "Gillespie, Guadalupe and Comal," in line 37, page 4.

(Mr. Miller of Dallas in the chair.)

On motion of Mr. Teer, the amendment was tabled.

Mr. Thomas of Denton offered the following amendment to the (committee) amendment:

Amend (committee) amendment to House bill No. 94, lines 20 and 21, by striking out the words "Palo Pinto, Parker and Hood" and inserting in lieu thereof the words "Clay, Montague and Young."

Signed—Thomas of Denton, Coffee, Morris of Montague.

Mr. Marshall moved to table the amendment to the (committee) amendment, and the motion to table was lost.

Question recurring on the amendment to the (committee) amendment, it was adopted.

Mr. Thomas of Denton moved to reconsider the vote by which the amendment to the (committee) amendment was adopted and to table the motion to reconsider.

The motion to table prevailed.

Mr. Cummins offered the following amendment to the (committee) amendment:

Amend House bill No. 94, line 19, by changing the last named county on said line, page 4, from "Franklin" to "Fan-nin."

The amendment was adopted.

Mr. Quaid offered the following amendment to the (committee) amendment:

Amend (committee) amendment of House bill No. 94 by changing counties of "Edwards, Kinney and Uvalde" from District 23, on page 4, and adding said counties to District 31, on page 5.

The amendment was adopted.

Mr. Merriman offered the following amendment to the (committee) amendment:

Amend (committee) amendment of House bill No. 94 by striking "Orange" out of District 4 and placing same in District 5.

The amendment was adopted.

Mr. Sweet of Brown offered the following amendment to the (committee) amendment:

Amend amendment to House bill No. 94, page 6, by inserting between lines 11 and 12 a new section, as follows:

"Section 3. All laws and parts of laws in conflict with this act are hereby repealed," and renumber the emergency paragraph as Section 4, and amend the caption to correspond.

The amendment was adopted.

Mr. Hill offered the following amendment to the (committee) amendment:

Amend amendment to House bill No. 94, page 4, line 4, after the word "Titus" the word "Morris."

The amendment was adopted.

Mr. Stephens offered the following amendment to the (committee) amendment:

Amend House bill No. 94, page 4, line 39, by striking out "Erath."

Mr. Hill moved the previous question on the pending amendments and engrossment of the bill and the main question was ordered.

Question first recurring on the amendment by Mr. Stephens to the (committee) amendment, it was lost.

Question next recurring on the (committee) amendment as amended, it was adopted.

House bill No. 94 was then passed to engrossment.

Mr. Hill moved to reconsider the vote by which the bill was passed to engrossment and table the motion to reconsider.

The motion to table prevailed.

MOTIONS FOR SPECIAL ORDERS.

Mr. Satterwhite moved that House bill No. 254 be set as a special order for 10 o'clock a. m. next Friday, and the motion was lost.

Mr. Williams of McLennan moved that House bill No. 149 be set as a special order for 10 o'clock a. m. next Thursday, and the motion was lost.

SPECIAL ORDER SET.

On motion of Mr. Thomason, House bill No. 117 was set as a special order for 10 o'clock a. m. next Thursday.

NOTICE GIVEN.

Mr. Williams of McLennan gave notice that he would on tomorrow call up for consideration at that time the motion to reconsider the vote by which the House on February 17 refused to pass Senate bill No. 84 to third reading, which motion to reconsider was on that day spread on the Journal.

(Speaker in the chair.)

HOUSE BILL NO. 18 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 18, A bill to be entitled "An Act abolishing the Markets and Warehouse Department and the Weights and Measures Department and conferring all the authority, powers, duties, functions, rights and liabilities of the Commissioner of Markets and Warehouses and of said Markets and Warehouse Department and Weights and Measures Department upon the Commissioner of Agriculture; abolishing the

board, consisting of the Governor, Commissioner of Agriculture and the Commissioner of Insurance and Banking, created by Chapter 5, General Laws of the Second Called Session of the Thirty-third Legislature, and vesting the powers and duties of said board in the Commissioner of Agriculture; conferring the powers and duties of the Commissioner of Insurance and Banking, relative to warehouses upon the Commissioner of Agriculture, except such as are conferred by Chapter 3, General Laws, Second Called Session of the Thirty-third Legislature; conferring power and authority upon the Commissioner of Agriculture to administer the provisions of Chapter 5, General Laws, Second Called Session of the Thirty-third Legislature, Chapter 41, General Laws, First Called Session, of the Thirty-fifth Legislature, and Chapter 116 of the General Laws, Regular Session of the Thirty-sixth Legislature, or so much of said statutes as are in force; transferring the appropriations of the Markets and Warehouse Department and the Weights and Measures Department to the Commissioner of Agriculture, and declaring an emergency."

The bill was read third time.

Question—Shall the bill be passed?

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 1, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House to return House bill No. 432, and it is returned herewith.

Respectfully,

A. W. HOLT,
Assistant Secretary of the Senate.

RECESS.

On motion of Mr. Bass, the House at 12 o'clock m. took recess until 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m. and was called to order by Speaker Thomas.

HOUSE BILL NO. 18 ON FINAL PASSAGE.

The House resumed consideration of pending business, same being House bill No. 18, transferring the Markets and Warehouse Department and the Weights and Measures Department to the Agri-

cultural Department, on its final passage.

Mr. Miller of Parker moved the previous question on the final passage of the bill and the main question was ordered.

Question recurring on the final passage of the bill, yeas and nays were demanded.

House bill No. 18 was passed by the following vote:

Yeas—82.

Adams.	Laird.
Aiken.	Lauderdale.
Baker.	Lawrence.
Barker.	Looney.
Barrett of Bell.	McCord.
Barrett of Fannin.	McDaniel.
Bass.	Martin.
Beasley	Mathes.
of Hopkins.	Melson.
Beasley	Menking.
of McCulloch.	Miller of Parker.
Black, O. B.,	Moore.
of Bexar.	Morris
Bonham.	of Montague.
Branch.	Mott.
Bryant.	Neblett.
Burmeister.	Patman.
Burns.	Perkins
Carpenter.	of Cherokee.
Childers.	Perkins of Lamar.
Coffee.	Perry.
Cox.	Pollard.
Crawford.	Pope.
Cummins.	Quicksall.
Curtis.	Rice.
Darroch.	Rogers of Shelby.
Davis, John E.,	Rountree.
of Dallas.	Rowland.
Duffey.	Satterwhite.
Edwards.	Seagler.
Faubion.	Sneed.
Fly.	Stephens.
Garrett.	Stewart
Grissom.	of Edwards.
Hanna.	Swann.
Harrington.	Sweet of Brown.
Henderson.	Sweet of Tarrant.
of McLennan.	Teer.
Hendricks.	Thompson
Hill.	of Red River.
Johnson	Thorn.
of Gillespie.	Thrasher.
Johnson of Ellis.	Veatch.
Kellis.	Wallace.
King.	West.
Kveton.	Wright.

Nays—40.

Baldwin.	Chitwood.
Beavens.	Davis, John,
Binkley.	of Dallas.
Black, W. A.,	Duncan.
of Bexar.	Fugler.
Brown.	Greer.

Hall.	Quinn.
Hardin.	Rogers of Harris.
Horton.	Rosser.
Johnson	Schweppe.
of Wichita.	Sims.
Jones.	Smith.
Kacir.	Stevenson.
Lindsey.	Thomason.
McFarlane.	Thompson.
McKean.	of Harris.
Malone.	Walker.
Merriman.	Webb.
Miller of Dallas.	Wessels.
Morgan.	Williams
Owen.	of McLennan.
Pool.	Williams
Quaid.	of Montgomery.

Absent.

Burkett.	Morris of Medina.
Estes.	Thomas
Laney.	of Limestone.
McLeod.	Wadley.

Absent—Excused.

Brady.	Lackey.
Crumpton.	Leslie.
Dinkle.	Shearer.
Harrison.	Westbrook.
Henderson	
of Marion.	

Paired.

Mr. Marshall (present), who would vote "nay," with Mr. Stewart of Reeves (absent), who would vote "yea."

Mr. Veatch moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 7 ON ENGROSSMENT.

The Speaker laid before the House, as postponed business, on its passage to engrossment,

H. B. No. 7, A bill to be entitled "An Act to repeal Articles 865a, 865b, 865c, 865d, 865e, 865f, 865g, 865h and 865j of the Code of Criminal Procedure of the State of Texas."

The bill having been read second time on Thursday, January 27, with amendment by Mr. Miller of Dallas and substitute by Mr. Baldwin for the amendment pending.

Mr. O. B. Black of Bexar moved the previous question on the substitute and the main question was ordered.

Question recurring on the substitute, it was lost.

Mr. Perkins offered the following substitute for the amendment:

Amend House bill No. 7 by striking

out all after the enacting clause and inserting in lieu thereof the following:

"Section 1. That Chapter 7 of the General Laws of the Regular Session of the Thirty-third Legislature and Chapter 44 of the General Laws of the Regular Session of the Thirty-second Legislature and all laws of this State providing for and authorizing suspended sentences in felony cases, are each and all hereby in all things repealed.

"Sec. 2. The importance of this legislation and the fact that the suspended sentence law shall be repealed as soon as possible creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended, and that this act shall take effect and be in force from and after its passage, and said rule is hereby suspended, and it is so enacted."

Signed—Binkley, Perkins of Cherokee.

Mr. Quinn moved the previous question on the pending amendment and engrossment of the bill and the motion was not seconded.

Question—Shall the substitute be adopted?

BILLS ORDERED NOT PRINTED.

On motion of Mr. Thomason, it was ordered that House bills Nos. 541, 564 and 510 be not printed.

On motion of Mr. Menking, it was ordered that House bill No. 545 be not printed.

NOTICE GIVEN.

Mr. Curtis gave notice that he would on tomorrow call up for consideration at that time House bill No. 72, which bill has heretofore been read second time and laid on the table subject to call.

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 265, to the Committee on Live Stock and Stock Raising.

Senate bill No. 122, to the Committee on State Affairs.

Senate bill No. 296, to the Committee on Banks and Banking.

Senate bill No. 292, to the Committee on Education.

Senate bill No. 287, to the Committee on Education.

Senate bill No. 284, to the Committee on Penitentiaries.

Senate bill No. 280, to the Committee on State Affairs.

Senate bill No. 272, to the Committee on Education.

Senate bill No. 313, to the Committee on Appropriations.

Senate bill No. 266, to the Committee on Appropriations.

Senate bill No. 277, to the Committee on Appropriations.

Senate bill No. 278, to the Committee on Appropriations.

Senate bill No. 258, to the Judiciary Committee.

Senate bill No. 255, to the Committee on Roads, Bridges and Ferries.

Senate bill No. 264, to the Committee on State Eleemosynary Institutions.

Senate bill No. 252, to the Committee on Education.

Senate bill No. 225, to the Judiciary Committee.

Senate bill No. 217, to the Judiciary Committee.

Senate bill No. 215, to the Committee on Public Health.

Senate bill No. 213, to the Committee on Judicial Districts.

Senate bill No. 205, to the Committee on State Affairs.

Senate bill No. 29, to the Committee on Live Stock and Stock Raising.

Senate bill No. 137, to the Committee on State Affairs.

Senate bill No. 110, to the Committee on Criminal Jurisprudence.

Senate bill No. 196, to the Committee on State Affairs.

Senate bill No. 325, to the Committee on Common Carriers.

Senate bill No. 86, to the Committee on Public Health.

Senate bill No. 198, to the Committee on Public Health.

Senate bill No. 197, to the Committee on Public Health.

Senate bill No. 140, to the Judiciary Committee.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 1, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has refused to pass

S. B. No. 112, A bill to be entitled

"An Act to amend Article 1121 of the Revised Civil Statutes of the State of Texas (prescribing the purposes for which private corporations may be organized) by adding thereto Section 81, authorizing the organization of holding companies for the purpose of dealing in the capital stock, bonds, mortgages, debentures, notes and other securities and evidences of indebtedness of other corporations."

Has adopted

H. C. R. No. 30, Instructing and requesting our congressional delegation to urge upon Congress the reimbursement to raisers of the cotton tax imposed upon the products of the soil by act of Congress in 1864, 1866 and 1867.

Has refused to pass to engrossment

S. B. No. 40, A bill to be entitled "An Act relating to vehicles and their use on the public highways of this State; providing for the registration of motor vehicles and trailers, and regulating the sale and transfer thereof; directing the disposition to be made of license fees collected under this act, and repealing all laws and parts of laws in conflict herewith."

Has passed

S. B. No. 137, A bill to be entitled "An Act to amend Chapter 140, Acts of the Thirty-sixth Legislature, granting to J. J. Kans, of the city of Galveston, Texas, his heirs and assigns, an extension of time in which the sum of not less than \$150,000.00 should be expended in the construction of a dry dock or marine railway on certain submerged flats or lands on the shore of Galveston Bay, and declaring an emergency."

S. B. No. 110, A bill to be entitled "An Act forbidding transactions of business in Texas under an assumed name other than the real name or names of the individuals conducting such business, unless such individuals file in the office of the clerk of the county where such business is to be conducted a certificate containing the names and addresses of such; providing for the keeping of special record of such certificates by the county clerks of the State; providing for a filing fee to be paid the county clerk for filing such certificate; making it a misdemeanor not to comply with the provisions of the act, and fixing a penalty for such failure."

S. B. No. 196, A bill to be entitled "An Act granting Willie Jackson permission to sue the State of Texas for any sum not exceeding three thousand

(\$3,000) dollars because of being erroneously and improperly confined in the penitentiary for a term of years for which he was not sentenced, fixing the venue, and declaring an emergency."

And

S. B. No. 325, A bill to be entitled "An Act for the relief of railway corporations having charters granted or amended since the first day of January, 1892, and which have failed or are about to fail to construct their roads and branches or any part thereof within the time required by law, and declaring an emergency."

Respectfully,

A. W. HOLT,

Assistant Secretary of the Senate.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, March 1, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 313, A bill to be entitled "An Act to appropriate ten thousand dollars (\$10,000) to purchase the Aitken collection of four thousand volumes on English literature, owned by H. B. Wrenn of Chicago, on which the University of Texas has an option to buy for twenty thousand dollars (\$20,000), and declaring an emergency."

S. B. No. 265, A bill to be entitled "An Act to amend Chapter 85 of the Acts of the Regular Session of the Thirty-third Legislature, entitled 'An Act to provide the mode by which horses, mules, jacks, jennets and cattle may be prevented from running at large in subdivisions of Harris county,' and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Respectfully,

A. W. HOLT,

Assistant Secretary of the Senate.

RECESS.

Mr. Bass moved that the House recess until 9:30 o'clock a. m. tomorrow.

Mr. Merriman moved that the House adjourn until 9:30 o'clock a. m. tomorrow.

Mr. Bonham moved that the House recess until 7:30 o'clock p. m. today.

The motion of Mr. Bass prevailed, and the House, accordingly, at 6 o'clock p. m., took recess until 9:30 o'clock a. m. tomorrow.

APPENDIX.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Committee Room,

Austin, Texas, March 1, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 342, "An Act to make certain emergency and supplemental appropriations out of the general revenues for the several institutions and departments of the State Government for the fiscal year ending August 31, 1921, and declaring an emergency,"

Have carefully examined same and find it correctly enrolled, and have this day, at 12:20 o'clock p. m., presented same to the Governor for his approval.

FAUBION, Chairman.

THIRTY-FIFTH DAY.

(Continued.)

(Wednesday, March 2, 1921.)

The House met at 10 o'clock a. m., and was called to order by Speaker Thomas.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Jones, it was ordered that Senate bill No. 325 be not printed.

On motion of Mr. Burmeister, it was ordered that Senate bill No. 29 be not printed.

On motion of Mr. Bryant, it was ordered that Senate bill No. 265 be not printed.

On motion of Mr. Melson, it was ordered that Senate bill No. 296 be not printed.

On motion of Mr. Stewart of Edwards, it was ordered that House bill No. 555 be not printed.

On motion of Mr. Morris of Medina, it was ordered that House bill No. 527 be not printed.

BILL ORDERED PRINTED.

Mr. Beavens moved that Senate bill No. 122 with majority adverse and minority favorable report, be printed.

Mr. Owen moved to table the motion to print the bill, and the motion to table was lost.

Question recurring on the motion to